IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(C).No. 4583 of 2007(U)

PETITIONER:

K.K. PRABHAKARAN, AGED 70 YEARS,
S/O.KUNHIRAVUNNI, KUNDAYIL HOUSE,
PARAPPUKARA VILLAGE, P.O.ANTHIKARA, THRISSUR.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS:
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1. S.I. OF POLICE, KODAKARA POLICE STATION, THRISSUR.

2. CHATHAN, S/O.THACHANADAN KANDANKALI, ALATHUR DESOM, NELLAI VILLAGE, MUKUNDAPURAM TALUK.

3. SUMATHI BALAN, MEMBER, WARD NO.VIII, PARAPPUKARA PANCHAYATH, ALATHOOR DESOM, THRISSUR.

4. N.P. CHATHUKUTTY, MEMBER, WARD NO.VIII, PARAPPUKARA PANCHAYATH, ALATHOOR DESOM, THRISSUR.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).4583/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE JUDGMENT DATED 29.3.1989 IN O.S.176/1984 OF THE MUNSIFF COURT, IRINJALAKUDA.

EXT.P2: COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 17.10.2006.

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.4583 OF 2007

Dated 12th March, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection. If the petitioner wants to fence his property and if disputes are raised by the contesting respondents, it is for the petitioner to obtain a positive order from the civil court to construct the fence. In a petition under Article 226 of the Constitution of India we cannot decide the question of title, possession, right etc. over the property in question. However, police is directed to see that law and order is maintained and subsisting civil court orders are not violated.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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